

## REMARKS

### **1. Responsive to Claim Objections:**

Claim 1 was objected to because “activator” was misspelled.

The misspelling of “activator” in Claim 1 has been corrected.

### **2. Responsive to Claim rejections under 35 USC § 112:**

Claims 1-7, 9-12 and 14 were rejected under 35 U.S.C. § 112 as being indefinite. The phrase “activator of a gradual type” has been replaced with –gradual activator—throughout the claims. The claims as amended are believed to overcome these rejections and Applicants respectfully request that the rejections be withdrawn.

### **3. Responsive to Claim rejections under 35 USC § 102:**

**3.1** In the rejection, the Examiner considers that clutches 24, 44, 64 of Biallas (US 6,645,114 B1) are respective selective activators for each power sub-path.

The claim, however, requires one respective selective activator for each power sub-path. This has been made clearer by the additional indication that an equal number of power sub-paths and of selective activators is provided. In Biallas, there are only three clutches 24, 44, 64, which is much less than the number (6) of power sub-paths. Only the actual selective activators 34, 48, 68 (each being able of two different couplings and thus corresponding to two activators) are provided in the same number as the power sub-paths in Biallas, but they are not gradual.

This is one of the reasons why Biallas is unable to select each gear with only one coupling actuation, and to simultaneously realize the selection and the speed matching between engine and the wheels with this single actuation.

Accordingly, Claim 1, as amended, more particularly distinguishes over Biallas with the feature that the selective activators provided in an equal number as the power sub-paths **are gradual activators**.

**3.2** Claim 1 has been amended to separate the last paragraph of claim 1 into two separate features, separated by a comma.

The previous presentation in a single paragraph appears to have created a confusion which has been, apparently, of some importance to lead the Examiner to deem that Claim 1 was anticipated.

This appears in Examiner's response to arguments, where the Examiner quotes as a single phrase of claim 1 "*during engagement process...each power sub-path is uninterruptable...*". **In fact, this passage bridges the two features which are now separated by a comma and a change of paragraph:**

for each power sub-path, (there is) one respective selective gradual activator able during engagement process to match the engine speed and load speed with each other,

each power sub-path is uninterruptible between the upper shaft and the lower shaft except by disengagement of its respective selective gradual activator.

In other words, the feature that each power sub-path is uninterruptable except by disengagement of its respective selective gradual activator is not limited to the engagement process. The feature simply means that there are no means other than the selective gradual activator to interrupt a sub-path.

This is in clear contrast with Biallas (US 6,645,114) in which an input clutch 24, 44, 64 is operable to interrupt a respective power path and therewith all associated power sub-paths even if their respective selective (non-gradual) activators 34, 48, 68 are in a coupled condition.

Since it has been made clearer that the selective activators are those in equal number as the sub-paths, the Examiner can no longer construe the feature as anticipated when considering the input clutches 24, 44, 64 of Biallas as being selective activators in the meaning of Claim 1.

Therefore, this feature further distinguishes claim 1 over Biallas.

**3.3** Upon these clarifications of claim 1, it is believed that claim 1 patentably distinguishes over Biallas.

**3.4** The remaining claims, which depend directly from claim 1, are patentable at least for the same reasons as claim 1, and for all the reasons given in the amendment filed as a response to the first office action.

**3.5 Responsive to Claim rejections under 35 USC §103.**

Claims 2, 5, and 12 were rejected under 35 U.S.C. §103(a). Claims 2, 5 and 12 depend directly from claim 1. As discussed above, claim 1 has been amended to more particularly claim applicants invention and as amended is believed to be allowable over the prior art, and thus, claims 2, 5, and 12 are also believed to be allowable. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. §103 also be withdrawn.

4 Therefore, reconsideration and allowance of all pending claims is respectfully requested.

## **CONCLUSION**

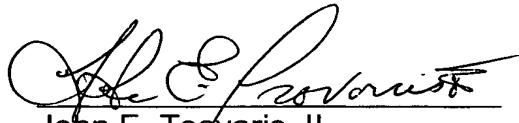
In view of all the above, it is believed that all objections and rejections have been overcome. All pending claims 1-7, 9-12 and 14 are now in condition for allowance.

If for any reason the Examiner believes that contact with Applicants' attorney would advance the prosecution of this application, the Examiner is invited to contact the undersigned at the number given below.

Respectfully submitted,

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